

4/26/2023

CENTRAL DISTRICT OF CALIFORNIA

BY: jm DEPUTY

UNITED STATES DISTRICT COURT

for the

Central District of California

Civil Division

Kellen John Clarke

Case No.

2:23-CV-00780-ODW-MRW

(to be filled in by the Clerk's Office)

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Wellpath, LLC. at the San Luis Obispo County Jail,
Doctor Kushdi Cader, Doctor Christine Mulkerin, San
Luis Obispo County Probation Officer Jennifer Frame

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

FIRST AMENDED COMPLAINT

DEMAND FOR JURY TRIAL

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS

(Prisoner Complaint)

NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	Kellen John Clarke		
All other names by which you have been known:			
ID Number	BS1620		
Current Institution	Released on Parole		
Address	5401 Capistrano Avenue		
	Atascadero	Ca	93422
	<i>City</i>	<i>State</i>	<i>Zip Code</i>

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. Make sure that the defendant(s) listed below are identical to those contained in the above caption. For an individual defendant, include the person's job or title (*if known*) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name	Wellpath, LLC. at the San Luis Obispo County Jail		
Job or Title (<i>if known</i>)	San Luis Obispo County Jail Health Care Provider		
Shield Number			
Employer	Wellpath, LLC. (contracted by the County of San Luis Obispo)		
Address	880 Oklahoma Avenue		
	San Luis Obispo	Ca	93405
	<i>City</i>	<i>State</i>	<i>Zip Code</i>
<input checked="" type="checkbox"/> Individual capacity <input type="checkbox"/> Official capacity			

Defendant No. 2

Name	Doctor Kushdi Cader		
Job or Title (<i>if known</i>)	Lead Jail Physician		
Shield Number			
Employer	Wellpath, LLC. (at the San Luis Obispo County Jail)		
Address	880 Oklahoma Avenue		
	San Luis Obispo	Ca	93405
	<i>City</i>	<i>State</i>	<i>Zip Code</i>
<input checked="" type="checkbox"/> Individual capacity <input type="checkbox"/> Official capacity			

Defendant No. 3

Name Doctor Christine Mulkerin

Job or Title *(if known)* Chief Medical Officer

Shield Number _____

Employer County of San Luis Obispo

Address 1055 Monterey Avenue

San Luis Obispo Ca 93408

City State Zip Code

☒ Individual capacity ☐ Official capacity

Defendant No. 4

Name Jennifer Frame

Job or Title *(if known)* San Luis Obispo County Deputy Probation Officer

Shield Number _____

Employer County of San Luis Obispo

Address 1730 Bishop Street

San Luis Obispo Ca 93401

City State Zip Code

☒ Individual capacity ☐ Official capacity

II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against *(check all that apply)*:

- ☐ Federal officials (a *Bivens* claim)
- ☒ State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

Violation of 5th and 14th Amendment, Due Process of Law (tampering or falsifying evidence for a court proceeding), 8th Amendment, Cruel and Unusual Punishment (deprivation of medical attention in a correctional facility), Violation of the American Disabilities Act (deprivation of ADA resources in a correctional facility).

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

-
- D. Section 1983 allows defendants to be found liable only when they have acted “under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia.” 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.
-

III. Prisoner Status

Indicate whether you are a prisoner or other confined person as follows (*check all that apply*):

- ☐ Pretrial detainee
- ☐ Civilly committed detainee
- ☐ Immigration detainee
- ☒ Convicted and sentenced state prisoner
- ☐ Convicted and sentenced federal prisoner
- ☐ Other (*explain*) _____
-

IV. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. If the events giving rise to your claim arose outside an institution, describe where and when they arose.
San Luis Obispo Superior Court on March 29, 2022.
-

- B. If the events giving rise to your claim arose in an institution, describe where and when they arose.
December 28, 2021 at the San Luis Obispo County Jail.
-

- C. What date and approximate time did the events giving rise to your claim(s) occur?
Violation of the 5th and 14th Amendment on March 29, 2022 at 8:30 am. Violation of the 8th Amendment on December 28, 2021.
-

- D. What are the facts underlying your claim(s)? *(For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)*

On March 29, 2022 San Luis Obispo County Probation Officer Jennifer Frame tampered with and falsified evidence pertaining to a San Luis Obispo County Sheriff's Police Report (exhibit A) in order to falsely incriminate and discriminate the plaintiff in a court proceeding in the San Luis Obispo Superior Court. Additionally, the officer, fabricated false evidence pertaining to the Plaintiff's mental health. On December 28, 2021, and numerous other occasions, the plaintiff requested medical attention for his chronic condition of Glioma and Ataxia (exhibit B) and was repeatedly denied medical attention by the San Luis Obispo County Jail lead doctor Kushdi Cader, and Chief Medical Officer Christine Mulkerin. Repeated attempts were made by the Plaintiff requesting ADA Accommodations that were denied.

V. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

False incrimination and discrimination in a California Superior Court Proceeding resulting in a violation of the plaintiff's due process of law.

Progression of chronic condition of Glioma and Ataxia resulting in severe mental and physical pain, anguish, substantial emotional distress, torment, terror, alarm, annoyance, harassment, mental and emotional degradation (loss of self worth)

VI. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

Trial by Jury. For the jury to decide on any actual or punitive damages for the alleged acts and to apply the appropriate monetary damages.

Health Summary

Welcome to your personal health record. The information provided is from the electronic health record at Dignity Health facilities. If you believe any data is incorrect; do not see a result; or have any questions regarding the information, please notify the medical record department of the health care facility.

The Health Summary includes current allergies, medications, immunizations and health issues on record.

CLARKE, KELLEN JOHN

Health Issues

Cigarette smoker Learn more about this [!\[\]\(a870788d6ed9b8fd294b7654a8c8526b_img.jpg\)](#)

Status: Active

TBI (traumatic brain injury) Learn more about this [!\[\]\(3211b5d1d968fc1665909b34f9f16010_img.jpg\)](#)

Status: Active

Glioma Learn more about this [!\[\]\(c50c8b7b2cc2cf9ff925edec0ee94c0d_img.jpg\)](#)

Status: Active

Paresthesia Learn more about this [!\[\]\(9c2e8d1b5bd77cb5c9f83b7a9cff79fd_img.jpg\)](#)

Status: Active

Cataract Learn more about this [!\[\]\(f60b7a900783ac3fd531bfd9c111be6d_img.jpg\)](#)

Status: Active

Anxiety Learn more about this [!\[\]\(235bfe13ebf007ce2eea9e689707fac7_img.jpg\)](#)

Status: Active

Tinnitus Learn more about this [!\[\]\(83bbbd261710c59db0214aa27b2edc0d_img.jpg\)](#)

Status: Active

EXHIBIT B

CLARKE, KELLEN JOHN
1/5/1963BS1620
10000003912000596BS1620

* Auth (Verified) *

5/4/22, 9:23 PM

CorEMR - Clarke, Kellen John :: Summary | v5.5.0

**Kellen John Clarke****#A00719184**

ADA/Special Needs, Chronic Care, Mental Health Patient

Sex: Male
 DOB: 01/05/1963 (Age 59)
 Height: 6ft 0in
 Weight: 148 lbs
 BMI: 17.9
 MNID: MNID: D000103677 Agency: County
 Location: 2 WH 07 B
 Inmate ID: 401395
 Allergies:
 pcn

Summary

Highlighted Chart Notes

NEGATIVE COVID RESULTS 04/26/2021 04/27/2021
 2020 03-22 03/24/2021
 Negative COVID
 REFUSED PPD X3 03/15/2021
 Negative COVID and Flu SVER 3/9/2021 03/10/2021

Current Problems

	Problem	Onset Date	Open Date
1	R90 Abnormal findings on diagnostic imaging of central nervous system (Chronic)	N/A	03/11/2021
2	Z87.820 Personal history of traumatic brain Injury (Chronic)	N/A	03/11/2021
3	D17 Benign lipomatous neoplasm	N/A	07/07/2020
4	C71.9 Malignant neoplasm of brain, unspecified (Chronic)	N/A	03/19/2020
5	H66.93 Otitis media, unspecified, bilateral Moderate	03/15/2020	03/15/2020
6	T16.9 Foreign body in ear, unspecified ear Moderate	03/15/2020	03/15/2020
7	MTO: Diet/Medical: Dental Soft/Mechanical Soft	03/15/2020	03/15/2020

Tasks

Overdue Task: 1 View
 Today's Tasks: 2 View
 Upcoming Tasks: 2 View

Intake Forms

Form	Date Saved
Abbreviated Receiving Screen	- Begin
Authorization and Consent to Medical Examination and/or Treatment - CMG	- Begin
Authorization for Use or Disclosure of Protected Health Information	- Begin
Authorization for Use or Disclosure of Protected Health Information - Spanish	- Begin
Coronavirus Supplemental Screening	12/17/2021 0103 View
Coronavirus Supplemental Screening	12/17/2021 0136 View
Coronavirus Supplemental Screening	12/17/2021 0153 View
Correctional Institution Request for Records for Provision of Health Care	- Begin
County Brief Jail Mental Health Screen	12/17/2021 0105 View
County Brief Jail Mental Health Screen	12/17/2021 0137 View
County Brief Jail Mental Health Screen	12/17/2021 0156 View

<https://ca-sanluisobispo-ehr.wellpath.us/Modules/Chart/summary.php?pid=814>

1/2

CONFIDENTIALELECTRONICALLY
FILED3/29/2022 9:55 AM
SAN LUIS OBISPO SUPERIOR COURTBy: C. Perez,
Deputy Clerk**SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN LUIS OBISPO****IN THE MATTER OF:****PRE-SENTENCE
REPORT OF PROBATION OFFICER**

CLARKE, KELLEN JOHN

DOB/AGE 01-05-63; 59 **PROB. #** P066010
ADDRESS: 1301 8th St.
Los Osos, CA 93402**COURT NO.** 21F-08938
DA# 079-671946
COURT DATE 04-04-22
TIME 0830
DEPARTMENT D5**ATTORNEY** Jeffry Radding
D.D.A. Scott Hunter**RESIDENCE**

The defendant is a lifetime resident of California and has resided in San Luis Obispo County since 1986.

CHARGE

Count 1: PC 422(a), criminal threats, felony

Amended Information filed 03/14/22, guilty by jury findings on 03/17/22; referred for sentencing report. The Court finds the factors of aggravation, #2, #3, #4, and #5 to be true.

DNA COLLECTED PURSUANT TO PC 296

Collected

CUSTODY

248 124 124

220 total days; 110 actual days, 110 conduct credits (12/16/21-04/04/22)

PRIOR RECORD

1. 07/24/87: PC 273.5(a)-M; Diversion. Glendale 669415-7070538P
2. 06/23/92: VC 14601.1(a)-M; 1 year bench probation, \$180 fine. SLO M188043
3. 09/20/93: VC 14601(a)-M; 1 year bench probation, \$300 fine. SLO M204708
4. 03/30/95: PC 476a(a)-M; 2 years bench probation. SLO M221229
5. 03/29/96: VC 23152(a)-F (3 priors); 5 years formal probation, 180 days jail. 02/10/97: PV. 08/08/97: PV, 30 days jail. 03/05/98: PV. SLO F240583
6. 12/18/96: PC 647(f)-M; 1 year bench probation, \$265 fine. SLO M251255
7. 12/05/97: PC 243(a)-M; unknown disposition. Pasadena 5476938
8. 12/06/97: PC 422-M; unknown disposition. Pasadena 5476933
9. 12/02/98: PC 242/243(a)-M; 3 years probation, 45 days jail. Pasadena GA034410-01
10. 05/26/00: VC 14601.5(a)-M, VC 14601.2(a)-M. VC 12500(a)-M; 3 years probation, 365 days jail. Hollywood #9YH0037001
11. 11/12/02: VC 23152(a)-F (3 priors); 3 years formal probation, 180 days jail.

CLARKE, KELLEN JOHN - 21F-08938

Page 2

SLO F321595

12. 12/01/04: VC 23152(a)-F; 2 years state prison. SLO F365811
13. 06/18/08: VC 23152(a)-F, VC 23152(b)-F, (with 1 prior PC 667.5(b)), PC 148(a)(1)-M, VC 14601.2(a)-M; 4 years state prison. SLO F394637
14. 05/04/11: VC 14601.2(a)-M; 18 months bench probation, 30 days jail. 08/30/11: PV. 10/27/11: PV, 6 days jail. 11/10/11: PV. 09/18/12: PV. SLO M45702
15. 08/30/11: VC 14601.2(a)-M (with 2 priors); 2 years bench probation, 70 days jail. 10/27/11: PV, 150 days jail. 11/10/11: PV. 09/18/12: PV. SLO M461355
16. 10/27/11: VC 14601.2(a)-M (with 2 priors); 3 years bench probation, 30 days jail. 09/18/12: PV. 05/09/14: PV arraignment for new charges 14C-17163. 08/11/14: probation modified. SLO M465456
17. 11/10/11: PC 476a(a)-M; 2 years bench probation, DABC program. 09/18/12: PV. 01/08/14: PV, probation extended 1 year. 05/09/14: PV arraignment for new charges 14C-17163. 08/11/14: probation modified. SLO M467382
18. 09/18/12: VC 23152(a)-F, Enh. VC 23577, PC 69-F; 3 years formal probation, 212 days jail, fine. SB38 2nd Offender Program. 06/19/13: PV. 09/03/14: PV. SLO F474970001
19. 06/19/13: PC 647(f)-M; 20 days jail, fine. SLO M491208
20. 08/18/14: VC 23152(a)-F, PC 667.5(b) admitted, PC 667.5(b) admitted; 3 years formal probation, 1 year jail, 1 year residential treatment upon completion of jail term. 02/06/15: PV. 03/27/17: PV, 37 days jail. SLO 14C-17163
21. 06/06/16: VC 23152(b)-F; 2 years state prison. Santa Maria 1501556
22. 08/27/18: VC 23152(a)-F, E01 VC 23578-admitted, VC 23152(b)-F, E02 VC 23578-admitted, VC 14601.2(a)-M, P01 VC 14601.2(g)-admitted, P02 VC 14601.2(g)-admitted, VC 2800.1(a)-M, P03 PC 667.5(b)-admitted; 4 years state prison suspended, 5 years formal probation, 401 days jail, DUI program, fine. 07/01/20: PV, 4 years state prison. 05/11/21: PC 3455(a)-admitted, 90 days jail. 03/17/22: PV, PV sentencing 04/04/22. SLO 18F-02315

POLICE REPORT

The following is a summary of San Luis Obispo County Sheriff's Department report #211209960:

On 12/16/21, at approximately 2229 hours, deputies were dispatched to a report of criminal threats at Sweet Springs Saloon. Victim Daniel Wandzel was contacted and he reported that Kellen Clarke had started a verbal altercation with a couple playing pool and he instructed Clarke to leave the bar. Clarke became confrontational and told Wandzel that he was going to call the police. He then left, and returned shortly thereafter with a gas can. He stated to Wandzel, "Have you ever been lit on fire? Because I'm going to come back here and light you and this bar on fire." Wandzel was afraid for his safety and he called 911. Wandzel had also seen Clarke smoking a cigarette prior to the incident.

Deputies observed Clarke filling up a gas can at Chevron across the street from Sweet Springs Saloon. He then walked across the street to the bar. Deputies contacted Clarke and he was argumentative. His speech was slurred, his stance was unsteady, and he demonstrated signs and symptoms of being under the influence of alcohol. Subsequently, Clarke was arrested and transported to county jail.

FRAUDULENT

DEFENDANT'S STATEMENT

Attorney Jeffry Radding was contacted and he waived the defendant's statement for this report.

NOTIFICATION OF VICTIM/VICTIM'S STATEMENT

The victim was notified of the court date and time, his right to make a statement, and his right to request restitution. As of the preparation of this report, no response has been received and no restitution has been requested.

RESTITUTION

It is recommended restitution be ordered in an amount to be determined and a Restitution Status Determination Hearing be scheduled for 07/05/22 at 0830 in Dept. 5, with the defendant waiving his presence at this and any future hearings.

COLLATERAL INFORMATION

DPO Jennifer Frame provided the following statement via email:

Clarke has never been compliant with his grant of PRCS. He has made multiple threats of lawsuits towards the Probation Department as he does not believe he should be on any supervision. He refused to participate in treatment services citing a medical condition for which he never provided documentation, despite the fact that he was advised Probation would not oppose terminating his case if he could provide the appropriate documentation. The offender suffers from alcoholism and refuses to address his mental health issues. He is not amenable to any locally based services and has a very long history of noncompliance. We support terminating his PRCS case if he is sentenced to prison.

FRAUDULENT

Attorney Jeffry Radding was contacted via email and he declined to provide a statement and recommendation for this matter.

An email was sent to DDA Scott Hunter on 03/21/22 requesting a statement and recommendation and as of the preparation of this report no response has been received.

FIREARM STATUS

As of the date of this report, the defendant has failed to provide the completed Prohibited Persons Relinquishment Form (PPRF). The due date for receipt of the PPRF was 03/31/22.

Review of the CLETS Automated Firearms System shows that the defendant is not the registered owner of any firearms. Additionally, there is nothing in the arrest report in this matter or in the defendant's prior record to indicate a history of firearms or weapons related offenses. Further, the defendant has indicated that he is not in possession of any firearms.

RELINQUISHMENT STATUS

The defendant has not completed the PPRF.

VII. Exhaustion of Administrative Remedies Administrative Procedures

The Prison Litigation Reform Act ("PLRA"), 42 U.S.C. § 1997e(a), requires that "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted."

Administrative remedies are also known as grievance procedures. Your case may be dismissed if you have not exhausted your administrative remedies.

A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

☒ Yes

☐ No

If yes, name the jail, prison, or other correctional facility where you were confined at the time of the events giving rise to your claim(s).

San Luis Obispo County Jail.

B. Does the jail, prison, or other correctional facility where your claim(s) arose have a grievance procedure?

☒ Yes

☐ No

☐ Do not know

C. Does the grievance procedure at the jail, prison, or other correctional facility where your claim(s) arose cover some or all of your claims?

☒ Yes

☐ No

☐ Do not know

If yes, which claim(s)?

Denial of medical attention and ADA resources.

- D. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose concerning the facts relating to this complaint?

☒ Yes

☐ No

If no, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

☐ Yes

☐ No

- E. If you did file a grievance:

1. Where did you file the grievance?

San Luis Obispo County Jail.

2. What did you claim in your grievance?

Denial of medical attention.

3. What was the result, if any?

Denial of grievance.

4. What steps, if any, did you take to appeal that decision? Is the grievance process completed? If not, explain why not. *(Describe all efforts to appeal to the highest level of the grievance process.)*

Plaintiff was transported to state facilities before he could appeal the grievance.

F. If you did not file a grievance:

1. If there are any reasons why you did not file a grievance, state them here:

2. If you did not file a grievance but you did inform officials of your claim, state who you informed, when and how, and their response, if any:

G. Please set forth any additional information that is relevant to the exhaustion of your administrative remedies.

Documentation can only be acquired through discovery.

(Note: You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.)

VIII. Previous Lawsuits

The “three strikes rule” bars a prisoner from bringing a civil action or an appeal in federal court without paying the filing fee if that prisoner has “on three or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury.” 28 U.S.C. § 1915(g).

To the best of your knowledge, have you had a case dismissed based on this “three strikes rule”?

☒ Yes

☐ No

If yes, state which court dismissed your case, when this occurred, and attach a copy of the order if possible.

United States District Court for the Central District of California. Plaintiff no longer obtains records of those decisions by the court.

- A. Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action?

☐ Yes

☒ No

- B. If your answer to A is yes, describe each lawsuit by answering questions 1 through 7 below. *(If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)*

1. Parties to the previous lawsuit

Plaintiff(s) _____

Defendant(s) _____

2. Court *(if federal court, name the district; if state court, name the county and State)*
- _____

3. Docket or index number
- _____

4. Name of Judge assigned to your case
- _____

5. Approximate date of filing lawsuit
- _____

6. Is the case still pending?

☐ Yes

☐ No

If no, give the approximate date of disposition. _____

7. What was the result of the case? *(For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)*
- _____

- C. Have you filed other lawsuits in state or federal court otherwise relating to the conditions of your imprisonment?

☐ Yes

☐ No

D. If your answer to C is yes, describe each lawsuit by answering questions 1 through 7 below. *(If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)*

1. Parties to the previous lawsuit

Plaintiff(s) _____

Defendant(s) _____

2. Court *(if federal court, name the district; if state court, name the county and State)*

3. Docket or index number

4. Name of Judge assigned to your case

5. Approximate date of filing lawsuit

6. Is the case still pending?

☐ Yes

☐ No

If no, give the approximate date of disposition _____

7. What was the result of the case? *(For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)*

IX. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 04/26/2023

Signature of Plaintiff	<u>Kellen J Clarke</u>		
Printed Name of Plaintiff	<u>Kellen J Clarke</u>		
Prison Identification #	<u>BS1620</u>		
Prison Address	<u>(Released on Parole) 5401 Capistrano Avenue</u>		
	<u>Atascadero</u>	<u>Ca</u>	<u>93422</u>
	<i>City</i>	<i>State</i>	<i>Zip Code</i>

B. For Attorneys

Date of signing: _____

Signature of Attorney	_____		
Printed Name of Attorney	_____		
Bar Number	_____		
Name of Law Firm	_____		
Address	_____		
	_____	_____	_____
	<i>City</i>	<i>State</i>	<i>Zip Code</i>
Telephone Number	<u>805-464-1863</u>		
E-mail Address	<u>kellenclarke52@gmail.com</u>		